

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED AIR LINES, INC.,
a Delaware Corporation,

Plaintiff,

v.

JOSHUA GREGORY ALLEN, an individual,
a/k/a JOSHUA GREGORY a/k/a ALLEN
GREGORY a/k/a GREGORY JOSHUA a/k/a
JOSHUA ALLEN and OMAR SAFAR
HALABI, an individual, a/k/a OMAR SAFAR,

Defendants.

CIVIL ACTION NO. 09-cv-10394 (NMG)

**UNITED AIR LINES, INC.'S
MOTION TO FILE OPPOSITION TO MOTION TO DISMISS UNDER SEAL**

Plaintiff United Air Lines, Inc. ("United") respectfully moves pursuant to LR 7.2 to file its opposition (the "Opposition") to Defendant Omar Safar Halabi's Motion to Dismiss (the "Motion") under seal. United requests that the Opposition remain under seal indefinitely.

As grounds for this request, United states the following:

1. The Complaint in this matter alleges that the Defendants engaged in a scheme to defraud United of its right to payment for airline tickets and to make unauthorized use of United's name and marks. The Defendants' scheme has caused United significant monetary damage in the form of lost revenue and goodwill, and the Complaint details the Defendants' fraudulent scheme with particularity.

2. United moved to seal the Complaint in order to avoid public disclosure of the details of the Defendants' scheme. On April 24, 2009, this Court issued an Order (the "Order")

directing United to file both a redacted copy of the Complaint omitting the details of the Defendants' scheme and an unredacted copy of the Complaint to be held by the Clerk under seal.

3. On July 25, 2009, Halabi moved to dismiss the Complaint. He filed both the Motion and its supporting memorandum (the "Memorandum") under seal. The Motion and the Memorandum argue that the Complaint does not state a claim upon which relief can be granted. In making this argument, the Motion and the Memorandum describe the Defendants' scheme in detail.

4. In order to refute Halabi's arguments, the Opposition must discuss details of the Defendants' scheme as they are recounted in the sealed version of the Complaint. As this Court acknowledged in the Order, members of the public could potentially use these details to replicate the Defendants' scheme and cause financial harm to United. Id. at 3-4.

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FOR THESE REASONS, United requests that this Court accept the Opposition under seal.

UNITED AIR LINES, INC.

By its attorneys,

/s/ Matthew Iverson
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Dated: July 31, 2009

**CERTIFICATE OF COMPLIANCE
WITH LOCAL RULE 7.1(A)(2)**

Pursuant to L.R. 7.1(A)(2), the undersigned counsel hereby certifies that on July 27, 2009 counsel for United Air Lines, Inc., contacted opposing counsel in a good faith effort to resolve or narrow the issues presented by this motion.

July 31, 2009

/s/ Matthew Iverson
Matthew Iverson